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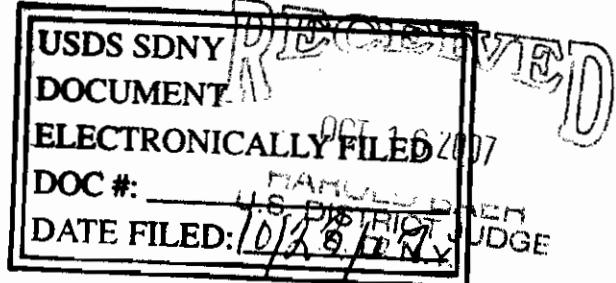
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October 16, 2007

**Via Facsimile (212) 805-7901**

Hon. Harold Baer  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2230  
New York, New York 10007-1581



Re: **Nidera Suisse S.A. and Moustapha Tall S.A. v. Gracia Navigation Ltd. and Priamos Marine S.A.**  
Docket #: 07 Civ. 4030 (HB)  
Our Ref: 1020

Dear Judge Baer:

We write to provide the Court with the status of the above-captioned case and to request an adjournment of the pretrial conference scheduled for Thursday, October 25, 2007 at 2:30 p.m.

We are attorneys for the Plaintiffs in this admiralty action brought pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure. On May 24, 2007 an Ex-Parte Order authorizing process of maritime attachment was issued permitting restraint of Defendants' property in the hands of garnishee banks located within the Southern District of New York. The Defendants have not appeared and, despite daily service of the Writ of Attachment on the garnishee banks, none of Defendants' property has been restrained.

While no funds have been attached at this time, the Plaintiff has been informed that hull proceeds (arising from the sinking of the vessel in or around March 2007) have yet to be paid by the owners' hull insurer (Ingosstrakh of Moscow) to owners/the Defendant, Gracia Navigation. Thus, Plaintiff fully expects that Defendant's property, i.e. the hull proceeds payment, to be coming into the district in the near future.

As Plaintiff expects Defendant's property to come into the district in the near future, we respectfully request an adjournment of the pre-trial conference for 120 days and additional time to obtain jurisdiction over the defendant, during which time we will continue to serve the Writ of Attachment in order to secure Plaintiff's claim and obtain jurisdiction over the Defendants.

As required by your Honor's individual rules, please find attached hereto a copy of the docket sheet. Should your Honor have any questions or comments we are available to discuss

Respectfully Submitted,

  
Nancy R. Peterson

*Denied - Be well &  
read to tell me when I'll  
try to see you again & gone a month  
ago I shouldn't dismiss you  
now & remove the walls  
from my jacket rather than simply  
conclude (as I have already done)  
let you do your JC & proceed or  
try to exercise your writ test  
of action to oppose my motion.  
Assured result*

*SO ORDERED:*

*Harold Baer, Jr., U.S.D.J.*

Date: *10/23/07*

Endorsement:

DENIED - be here and ready to tell me why when 120 days has come and gone a month ago I shouldn't dismiss without prejudice and remove the matter from my docket rather than simply continue (as I have already done) to let you adjourn the PTC and exercise or try to exercise your writ. Failure to appear will rest assured, result in a dismissal.